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**From:** Cathy Tortorici - NOAA Federal  
**Sent:** Fri 12/29/2017 10:59:38 PM  
**Subject:** Transmittal of the NMFS Pesticides Biological Opinion to EPA  
NMFS Pesticides Biological Opinion Cover Page.pdf

Marietta -

As you know, on November 9, 2017, per our request and EPA's agreement, the Department of Justice requested a time extension with the court to complete our biological opinion on EPA's registration of chlorpyrifos, malathion, and diazinon. Sam Rauch, NMFS' Deputy Assistant Administrator for Regulatory Programs submitted a declaration describing the reasons for this time extension request. Those reasons included concerns raised by EPA, FWS, and stakeholders regarding a variety of technical and methodological issues that will require lengthier and more intensive inter-agency collaborative work to address. Getting more time would have also allowed NMFS to engage with the public and stakeholders on a draft biological opinion prior to issuance of a final biological opinion, as originally planned and as recommended by the National Academies of Sciences.

Unfortunately, we have not received the requested extension and are required to transmit the biological opinion which, given the time, cannot fully account for the need to coordinate on a different process for developing such opinions or to fully engage the public. We recognize that this biological opinion is only part of the extensive investments that EPA, FWS, and NMFS have made towards Endangered Species Act consultations. Although we have been required to issue this biological opinion sooner than we desired, we remain committed to working with you and FWS to improve the ESA section 7 consultation process.

Our pesticides biological opinion has been posted on the EPA sharepoint site per our agreement with you because of the document's size. I am transmitting the cover page of the biological opinion to you at this time to indicate that the biological opinion is signed and completed.

Please call me at 301.427.8495 if you have any questions -

Cathy Tortorici

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**Cathy Tortorici**

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(c) **Ex. 6 - Personal Privacy**  
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